IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 13417 of 2004

Between:

Mr. G. Raghavendra Reddy, S/o. Sri G. Mohan Reddy,
R/o.MIG 276, APHB Colony, Balaji Nagar, Kukatpally, Hyderabad.

..... PETITIONER

AND

The State of Andhra Pradesh Rep. by its Principal Secretary,
Backward Classes Welfare Department, Secretariat, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the impugned G.O.Ms.No.33 Backward Classes (C2) Department dated 12-07-2004 issued by the respondent identifying Muslims as Backward Classes in the State and consequentially providing for reservations in educational institutions and employment in the State for Muslims in the State treating them as Backward Classes under category 'E' in addition tot he existing A,B,C,D categories as arbitrary, illegal and unconstitutional being contrary to the principles of law governing Article 15(4) and Article 16(4) of the Constitution of India by way of issue of a Writ, order or direction one more particularly in the nature of Writ of Mandamus and issue a consequential direction to the respondent not to revise the lists of Backward Classes by inclusion of new backward class in the existing list of Backward Classes in the State except in accordance with the provisions of A.P Commission for Backward Classes Act, 1993 and not to provide for reservations exceeding 50% in the State of A.P.

Counsel for the Petitioner:MR.S.RAVI

Counsel for the Respondent: GP FOR SOCIAL WELFARE

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

In view of the decision of a larger Bench of this Court in Writ Petition No. 12239 of 2004 and Batch, dated 21.9.2004, no further directions deserves to be issued in this petition since the decision of larger Bench covers all the points raised in this writ petition.

The writ petition is accordingly disposed of. No costs.

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DEVINDER GUPTA, CJ

Date: 29th September, 2004

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C.V.RAMULU,J

Pnb

To

1. The Principal Secretary, State of Andhra Pradesh,

Backward Classes Welfare Department, Secretariat, Hyderabad.

2. Two C.D. copies